

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION

CoSTAR REALTY INFORMATION, INC.,
et al.,

Plaintiffs,

v.

Mark Field d/b/a Alliance
Valuation Group, *et al.*,
Defendants.

CIVIL ACTION NO. AW -08-663

DEFENDANT RUSS A. GRESSETT'S MEMORANDUM IN OPPOSITION TO
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT AND IN SUPPORT OF
CROSS-MOTION FOR SUMMARY JUDGMENT, AND RESPONSE TO
PLAINTIFFS' MOTION FOR LEAVE
TO FILE SECOND AMENDED COMPLAINT

Defendant Russ A. Gressett ("Gressett"), by and through undersigned counsel, files this Cross-Motion for Summary Judgment against Plaintiffs CoStar Realty Information, Inc. and CoStar Group, Inc. (collectively "CoStar"). Specifically, Gressett moves for summary judgment, pursuant to Fed. R. Civ. P. 56(b) against the following claims asserted against him by CoStar: (1) Direct copyright infringement; (2) Contributory infringement; (3) Vicarious infringement; (4) Common-law fraud; and (5) Fraud related to computers, pursuant to 18 U.S.C. § 1030. For the reasons set forth in the attached memorandum in support, Gressett requests that the Court grant its Cross-Motion for Summary Judgment, and enter judgment against CoStar and dismiss the foregoing claims as a matter of law because there is no evidence in the record to support such claims as a matter of law.

DATED: November 23, 2009.

Respectfully Submitted,

GREENBERG TRAURIG, L.L.P.

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ATTORNEYS FOR DEFENDANT
RUSS A. GRESSETT

CERTIFICATE OF SERVICE

I hereby certify that on November 23, 2009, a true and correct copy of the foregoing instrument was served upon all parties by and through their counsel of record, via the Court's CM/ECF system, pursuant to FED. R. CIV. P. 5.

I further certify that on November 23, 2009, a true copy of the foregoing was sent by U.S. mail to the following unrepresented parties:

Mark Field
Alliance Valuation Group
638 Camino De Los Maries, Suite H130A San
Clemente, CA 92673

and

Lawson Valuation Group, Inc.
8895 N. Military Trail, Suite 304E Palm
Beach Gardens, FL 33410-6263

/s/Christopher C. Miller
Christopher C. Miller